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8 **UNITED STATES DISTRICT COURT**
9 **WESTERN DISTRICT OF WASHINGTON**
10 **AT SEATTLE**

11 KEVIN J. KERRIGAN,

12 NO. C09-411-RAJ

13 Plaintiff,

14 **ORDER REMANDING CASE**

15 v.

16 MICHAEL J. ASTRUE, Commissioner
17 of the Social Security Administration,

18 Defendant.

19 The Court, after careful consideration of the plaintiff's complaint, the parties' briefs, all
20 papers and exhibits filed in support and opposition thereto, the Report and Recommendation
21 (Dkt. # 18) of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the
22 balance of the record, does hereby find and ORDER:

23 (1) The Court adopts the Report and Recommendation.
24 (2) The final decision of the Commissioner is REVERSED and this case is
25 REMANDED to the Social Security Administration for further proceedings not inconsistent
26 with the Report and Recommendation.

1 (3) The Clerk of the Court is directed to send copies of this Order to the parties and
2 to Judge Theiler.

3 DATED this 5th day of January, 2010.

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7 The Honorable Richard A. Jones
8 United States District Judge

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